

## **CITY COUNCIL MEETING**

### **December 2, 2014**

Honorable Mayor, Mark D. Boughton, called the meeting to order at 7:30 p.m. in the Council Chambers.

#### **PLEDGE OF ALLEGIANCE & PRAYER**

Tax Collector Scott Ferguson led all in the Pledge of Allegiance. Councilman Philip Curran led all in prayer.

#### **ROLL CALL**

**COUNCIL MEMBERS PRESENT:** Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Colleen Stanley, Andrew Wetmore, Irving Fox, John Priola, Vinny DiGilio, Joseph Cavo, Thomas Saadi, Elmer Palma, Christopher Arconti, Peter Nero, Duane Perkins, Benjamin Chianese, Paul Rotello, Marina Loyola, and Joseph Scozzafava.

**COUNCIL MEMBERS ABSENT:** Gregg Seabury and Fred Visconti

**PRESENT: 19, ABSENT: 2**

Gregg Seabury had a family emergency and Fred Visconti is out of town.

**ALSO PRESENT:** Les Pinter, Deputy Corporation Counsel; David St. Hilaire, Director of Finance; Daniel Jowdy, Jean Natale, Legislative Assistant;

#### **PUBLIC SPEAKING**

- Margaret Mitchell, 2 Park Place, discussed drainage, notably on south Main Street, Foster Street, and East Franklin Street Bridge near sanitary sewer pipes.
- Bill Totten, 6 Hydes Field Drive, spoke regarding Item #5.
- Omar Vargas, Government Relations, Praxair, corporate resident, spoke in favor of Item #6, and introduced Brian Morgan, Project Director.

#### **ANNOUNCEMENTS**

Mayor Boughton made the announcements for the month of December.

#### **MINUTES - Minutes of the Council Meeting held November 6, 2014**

***A motion was made by Councilman Cavo and seconded by Councilman Perkins, to waive the reading and accept the minutes of the November 6, 2014 meeting, as all members have copies and additional copies are available in the office of the Legislative Assistant. The motion carried unanimously.***

#### **CONSENT CALENDAR**

Councilman Knapp read the Consent Calendar as follows:

2. [COMMUNICATION - Re-appointments to The Governmental Entities & Review](#)

Receive the Communication and approve the appointment of Council Members Philip Curran, Colleen Stanley and Paul Rotello as members of the Government Entities Committee. Additionally approve the re-appointments of Alan Boyce and Mark Chory to the committee with all terms to expire June 30, 2015.

3. [COMMUNICATION - Appointments to the Commission on Aging](#)

Receive the Communication and approve the appointment of Barbara Newland as a Regular member and Mary Beth Hickey as an alternate member to the Commission on Aging with terms to expire October 1, 2017.

4. [COMMUNICATION - List of City's Qualified Financial Institutions](#)

Receive the Communication from the Director of Finance, David St. Hilaire, and approve the updated list of the City's banks and qualified financial institutions as presented.

8. [RESOLUTION - Emergency Management & Planning Grant](#)

Receive the Communication and adopt the Resolution authorizing Mayor Mark D. Boughton or his designee Paul D. Estefan, Airport Administrator, to apply for and accept funding from the Federal "Emergency Management Performance Grant" (EMPG) to be used to assist in emergency management activities. This Grant is not to exceed \$41,403.50 and requires equal cash or in-kind matching of funds and is for the period of 10/01/2014 through 09/30/2015.

12. [AD HOC REPORT - Danbury-Brookfield Sewer Renewal](#)

Receive the report of the Ad Hoc Committee and adopt the Resolution authorizing the extension of the agreement between the City of Danbury and the Town of Brookfield for the purpose of providing water sewage treatment, thus extending the current agreement through April 9, 2032.

**A motion was made by Councilman DiGilio and seconded by Councilman Perkins, to accept the Consent Calendar as presented. The motion carried unanimously.**

1. [COMMUNICATION - Re-name Veterans Hall](#)

**A motion was made by Councilman Cavo, seconded by Councilwoman Stanley, to approve re-naming Veterans Hall to the Patrick R. Waldren Veterans Hall. The motion carried unanimously.**

2. [\\*COMMUNICATION - Re-appointments to The Governmental Entities & Review](#)

**\*CONSENTED** - Receive the Communication and approve the appointment of Council Members Philip Curran, Colleen Stanley and Paul Rotello as members of the Government Entities Committee. Additionally approve the re-appointments of Alan Boyce and Mark Chory to the committee with all terms to expire June 30, 2015.

3. [\\*COMMUNICATION - Appointments to the Commission on Aging](#)

**\*CONSENTED** - Receive the Communication and approve the appointment of Barbara Newland as a Regular member and Mary Beth Hickey as an alternate member to the Commission on Aging with terms to expire October 1, 2017.

4. [\\*COMMUNICATION - List of City's Qualified Financial Institutions](#)

**\*CONSENTED** - Receive the Communication from the Director of Finance, David St. Hilaire, and approve the updated list of the City's banks and qualified financial institutions as presented.

5. [COMMUNICATION - Richter Park Cell Tower Proposal](#)

*A motion was made by Councilman Cavo, to waive the reading of the report as all members have copies and copies are on file in the Legislative Assistants Office. No objections, so ordered.*

The Council discussed details of the report as well as the property and its history. Mr. Pinter responded to Council questions.

*A motion was made by Councilman Curran, seconded by Councilman Scozzafava, to move the question. The motion carried 15-4, Councilmembers Rotello, Chianese, Perkins, and Saadi voting no.*

*A motion was made by Councilman Knapp, seconded by Councilman Curran, to receive the partial waivers of deed restriction and approve based on the authority of the City Council to grant or otherwise transfer rights into real estate pursuant to Charter Section 3-17 by a two-thirds vote of the full Council. A limited waiver to the 1968 Richter Property Deed Restriction to the City of Danbury permitting the placement of a cell tower or upon Richter Park Authority managed property in a location and subject to such terms and conditions pursuant to a lease or contract as may be negotiated and proposed by the Richter Park Authority and as approved by this Council after a public hearing by a subsequent vote of two-thirds of the full Council. Said cell tower to be used solely for essential public safety and for revenue generation to promote the recreational uses of Richter Park property as may conform to its approved master plan. The motion carried 16-3, Councilmembers Rotello, Chianese, and Perkins voting no.*

6. [COMMUNICATION - Application for Praxair Deferral Of Assessment increases](#)

Councilman DiGilio requested this item be sent to an Ad Hoc Committee with a representative from the Mayor's Office, Danbury Director of Economic Development, Danbury Corporation Counsel, the petitioner. Hearing no objections, Mayor Boughton ordered the **Leadership Committee** with the following Council Members Cavo as Chair, Seabury, Knapp, Saadi, and Visconti.

7. [COMMUNICATION - Contract For Hatter's Dale Condo-38 Triangle Street](#)

Councilman Wetmore requested this item be sent to an Ad Hoc Committee with Corporation Counsel, and the Director of Planning. Hearing no objections, Mayor Boughton ordered the committee with the following Council Members Haddad as Chair, Levy, and Rotello.

8. [\\*RESOLUTION - Emergency Management & Planning Grant](#)

**\*CONSENTED** - Receive the Communication and adopt the Resolution authorizing Mayor Mark D. Boughton or his designee Paul D. Estefan, Airport Administrator, to apply for and accept funding from the Federal "Emergency Management Performance Grant" (EMPG) to be used to assist in emergency management activities. This Grant is not to exceed \$41,403.50 and requires equal cash or in-kind matching of funds and is for the period of 10/01/2014 through 09/30/2015.

9. [RESOLUTION - Letter of Agreement-Entergy Nuclear & City of Danbury](#)

The report was read and questions regarding were answered. Councilman Rotello expressed the opinion that the item should be codified and flow back to Danbury. Mr. Estefan responded to Councilman Perkins questions.

*A motion was made by Councilman Arconti and seconded by Councilman Wetmore, to receive the communication and authorize the Mayor to execute a Letter of Agreement between Entergy Nuclear Operations and the Danbury Airport. The motion carried 18-1, Councilmember Rotello voting no.*

10. [REPORT, ORDINANCE & RESOLUTION - HVCEO/SWRPA - Western Ct Council of Governments - Code of Ordinance, Section 2-6 to 2-9](#)

*A motion was made by Councilman Cavo, and was seconded, to waive the reading of the minutes as all members have copies and copies are on file in the Legislative Assistant's Office for review. No objections, so ordered.*

*A motion was made by Councilman Priola seconded by Councilman Fox, to receive the communication and approve the Committee's recommendation to adopt the Resolution establishing a transitional Metropolitan Planning Organization to carry forward duties under the HVCEO transportation responsibilities as may be necessary as per the MPO designation. And to recommend the repeal of the existing City Ordinance Section 2-6 to 2-9. And the approval of an amended Ordinance Section 2-6 to 2-9 creating the Western Connecticut Council of Governments replacing the Housatonic Valley Council of Elected Officials (HVCEO). The motion carried 17-2, Councilmembers Rotello and Perkins voting no.*

11. [REPORT, ORDINANCE & RESOLUTION - Tax Exemption for Disabled Veterans Code of Ordinance, Section 18-15.1](#)

*A motion was made by Councilman Cavo to waive the reading of the minutes as all members have copies and copies are on file in the Legislative Assistant's Office for review. No objections, so ordered.*

**A motion was made by Councilman Wetmore, and was seconded by Joe Cavo, to receive the report and adopt to amend Code of Ordinance Section 18-15-1 authorizing additional tax exemptions for disabled veterans. The motion carried unanimously.**

12. **\*AD HOC REPORT - Danbury-Brookfield Sewer Renewal**

**\*CONSENTED** - Receive the report of the Ad Hoc Committee and adopt the Resolution authorizing the extension of the agreement between the City of Danbury and the Town of Brookfield for the purpose of providing water sewage treatment, thus extending the current agreement through April 9, 2032.

13. **DEPARTMENT REPORTS - CC, Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly, Library**

**A motion was made by Councilman Cavo, and seconded by Councilman Knapp, to waive the reading of the Department Reports as all members have copies and copies are on file in the Legislative Assistant's Office for review. The motion carried unanimously.**

Councilman DiGilio thanked Mr. Iadarola and the Public Works staff for leaf cleanup and holiday lights downtown prior to bad weather. He also thanked Mr. Stillman and Mr. Antos for their reports.

Mr. Day responded to Councilman Rotello's questions regarding effluent and treatment from interlocal agreements and the new agreement with Brookfield.

**ADJOURNMENT**

**There being no further business to come before the Council, a motion was made by Councilman Perkins and seconded by Councilwoman Stanley, to adjourn. The motion carried unanimously. The Mayor extended all committees and the meeting adjourned at 8:46 p.m.**

Respectfully submitted,

Lori Goor  
Recording Secretary

Attest,

Mark D. Boughton, Mayor